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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

U.S. BANK, NATIONAL ASSOCIATION,
AS TRUSTEE FOR THE
CERTIFICATEHOLDERS OF CSMC
2007-3, a national banking association,

Plaintiff,

vs.

THE VILLAGE GREEN HOMEOWNERS
ASSOCIATION, a Nevada corporation;
ALESSI & KOENIG, LLC, a Nevada
limited liability company; ERIC
RECIENTES, an individual; RAYMOND
ARROYO, JR., an individual; ROBERT
KEASLER, an individual; JASON
FITZPATRICK, an individual; SHIELA
MARIE FITZPATRICK, an individual;
DOES 1 through 10, inclusive, and ROES 1
through 10, inclusive.

Defendants.

CASE NO.: 2:17-cv-00540-JCM-PAL

**AMENDED STIPULATION AND
ORDER TO DISMISS DEFENDANT
THE VILLAGE GREEN
HOMEOWNERS ASSOCIATION**

Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CSMC 2007-3 (hereinafter "U.S. Bank") and Defendant THE VILLAGE GREEN HOMEOWNERS ASSOCIATION (hereinafter "VILLAGE GREEN"), (collectively, the "Parties"), by and through their respective counsel of record, hereby stipulate as follows:

1. On February 22, 2017, Plaintiff U.S. Bank filed its Complaint in this action naming VILLAGE GREEN and other parties as defendants related to a homeowners association

foreclosure sale of real property located at 2416 Pickwick Drive, Henderson, Nevada 89014;
APN 178-05-210-022 (hereinafter "Property").

2. The Parties hereby agree that U.S. Bank's claims against VILLAGE GREEN shall be dismissed with prejudice, and U.S. Bank and VILLAGE GREEN shall each bear its own costs and fees related to this litigation.

3. The Parties further agree that VILLAGE GREEN does not take a position regarding whether the September 5, 2012 lien foreclosure sale extinguished U.S. Bank's interest in the deed of trust.

4. VILLAGE GREEN asserts that it does not have a current ownership interest in title to the Property, subject to the continuing encumbrance of the CC&Rs.

5. This dismissal does not affect any rights, claims or defenses of U.S. Bank or VILLAGE GREEN with respect to any other party related to the foreclosure sale of the Property.

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*Attorney for The Village Green Homeowners
Association*

ORDER

Based on the foregoing stipulation, and good cause appearing,

IT IS ORDERED that Defendant The Village Green Homeowners Association is hereby dismissed from this case with prejudice.

IT IS FURTHER ORDERED that Defendant The Village Green Homeowners Association has no present ownership interest in title to the Property, subject to the continuing encumbrance of the CC&Rs.

IT IS FURTHER ORDERED that each party shall bear its own attorneys' fees and costs.

IT IS FURTHER ORDERED that this dismissal does not affect any rights, claims or defenses of U.S. Bank or VILLAGE GREEN with respect to any other party related to the foreclosure sale of the Property.

IT IS SO ORDERED.

DATED March 15, 2018.

James C. Mahan

UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of ZIEVE, BRODNAX & STEELE, LLP; that service of the foregoing **STIPULATION AND ORDER TO DISMISS DEFENDANT THE VILLAGE GREEN HOMEOWNERS ASSOCIATION** was made on the 13th day of February, 2018 by electronic service to all parties and counsel as identified on the Court-generated Notice of Electronic Filing.

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/s/Sara Aslinger
An employee of ZIEVE, BRODNAX & STEELE,
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